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Myron Marchelm,

— THE —

VICTIM OF A CONSPIRACY!

— OR THE —

Burnt Town!

An Original and Spectral Drama in 3 Acts and 4 Tableaux.

BY MAX MACHEL,

Dayton, Ohio.

Office—No. 103 West Third Street.

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DAYTON, OHIO.
1877.

MYRON MACHOLM,

—THE—

VICTIM OF A CONSPIRACY!

—OR—

The Tyrant's Doom!

An Original and Spectral Drama in 6 Acts and 4 Tableaux.

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HENRY D. STOUT, PRINTER.
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CAST.

1. Myron Macholm—The Boy Victim.
2. Maxwell Macholm—The Father.
3. Fanny Macholm—The Mother.
4. John Frank DeWily—A Judge.
5. Jacob Pritton,
6. William Hatwell,
7. Patton Hugit,

} The Conspirators.

Sheriff, Officers, Judge, Jury, Attornies, Witnesses, Prisoners, and citizens, &c., &c.

☞ This drama is located in a city in Southern Ohio. ☜

INTRODUCTORY.

——:o:——

ACT I.

Scene 1. Private room in a tavern, in a city (in Southern Ohio.) Three jolly companions seated around a table. Liquor and glasses, and the conspirators—three in number, seated around it, drinking. "Intemperance" (the root of all evil,) at the bottom of the plot.

Personal. 1st. The (Conspirator,) Jacob Pritten, joint owner of a factory, a fat bloated bully, ready to do any polite job for money. Face red and heavy, with chin whiskers.

Co-Conspirator—William Hatwell, a short and stout fellow, tolerably fair looking.

Co-Conspirator—Patton Hugit—called Pat—for short, a skinney subject, and his language, with a bit of the Irish brogue.

N. B. The two last named are in the pay of the police authorities employed as detectives.

SITUATIONS.

ACT I.

Scene. 1. A private room in a tavern, in a city in Southern Ohio.

Scene 2. A work-shop, cutting and tailoring.

Scene 3. The work-shop again, and a prison cell.

ACT II.

Scene 1. A court-room..

Scene 2. Court-room and prison.

Scene 3. The Victim's humble home, a higher court.

Scene 4. The Conspirators' meeting-room in the tavern.

ACT III.

Scene 1. The prison again.

Scene 2. On the road for his new home.

Scene 3. The Reform Farm, the Victim installed.

Scene 4. The home of the Victim's parents.

Scene 5. The Father's work-shop.

ACT IV.

Scene 1. The highest court in the State, the Governor's private apartment.

Scene 2. The sick room.

Scene 3. The chamber of death.

Scene 4. The chamber of the convalescence.

ACT V.

Scene 1. The death chamber again, on the way to the burying place.

Scene 2. A small room in a deserted house.

Scene 3. The humble home; the midnight tramp.

Scene 4. The graveyard.

Scene 5. The meeting in the woods.

ACT VI.

SCENE 1. The Probate Court-room at night.
SCENE 2. The ante-chamber.
SCENE 3. The fatal corrider.
SCENE 4. The Insane Asylum.
SCENE 5. The cell of the hopeless.
SCENE 6. The home of Maxwell Macholm—Grand tablaux.

SYNOPSIS.

ACT I.

SCENE 1. Intemperance, the root of most evil—The three jolly companions; the compact; the plot; our demand must be respected; or by the eternal, they shall suffer.

SCENE 2. The work-shop; the unjust demand; Myron interviewed; he denies the charge; he makes his statement true and faithfully; (Maxwell) his father believes him innocent; they force their demand; we will not wait ten minutes; their defiance to old Maxwell; he scorns their insolence; pay up or you shall suffer; by the eternal, suffer I will; robbers! thieves! blackmailers! begone! tyrants shall not make me tremble!

SCENE 3. The shrewd detectives; the accusation; the arrest; Myron in the grasp of the law: "Go, my boy, go! I shall be with you; Maxwell; will protect the innocent, if it takes the last dollar of his worldly goods.

ACT II.

SCENE 1. Myron in court; the jury; the wily Judge takes a full hand in the dastardly game; prisoner; lawyers; witnesses and prosecutors; the charges, two in number; petit larceny and malicious destruction of property; "are you guilty? or notguilty?" "not guilty of ethier charge!

SCENE 2. The proceedings of trial; the Conspirators do their worst; they are assisted by the aid of strategy; perjury the curse of mankind and the devil's work consumated; the wily Judge instructs the jury; they are a unit; the verdict returned; guilty of one charge; "petit larceny;" Myron returned to prison; his sentence follows.

SCENE 3. (Two weeks elapse,) Myron taken before his Honor; the sentence; believing you to be the wickedest boy in the State, I will send you to the Reform Farm for the term of eight years and two months, or until you become of age; Myron taken back to prison to await execution of sentence—Tableaux.

SCENE 4. The last hope, the writ of habæs corpus; brought be-

fore a higher and a merciful Judge; Judge Elcot takes an interest in the boy's case, "two weeks in prison is enough for a boy," convicted upon slander evidence; he advises Judge DeWiley to discharge Myron and cautions his action, he consents reluctantly; Myron is discharged; at liberty once more.

Scene 5. Judge DeWiley in the role of a Co-conspirator, he receives some filthy lucre, and he partakes of the cursed cup, he becomes a Co-conspirator; gentlemen, your wishes shall be complied with, Myron shall be re-arrested and sent to the Farm.

ACT III.

Scene 1. The re-arrest; Myron in durance vile; the sentence put into execution; eight years and two months to the Reform Farm; Myron is taken off by the Sheriff to his new home; can I not see my parents once more, and bid them all farewell? he is refused; they are the orders of the wily Judge.

Scene 2. Maxwell Macholm is apprised of Myron's re-arrest; his appearanee in court; is Myron in custody of the Sheriff? yes; and perhaps many miles away; taken away? (Maxwell surprised;) I will hasten and apprise my poor wife of this inhuman act; all hope gone; the wily Judge triumphant; Fanny Macholm, (Myron's mother) appears; she appeals to the Judge on her knees; his contempt and insolence to her is unbearable; no hope for Myron, and no mercy; her wrath knows no bounds, her curse to the Judge; he is spell-bound, but langhs in triumph.

Scene 3. The Reform Farm; Myron initiated; set to work hoeing; Myron's soliloquy; he gets the taste of a hickory rod for his indiscretion, "Thou shall not steal thy Master's time;" Myron gives up all hope; he makes up his mind to serve his time; the bell at head quarters; the recess; the supper; the evening vespers; inthe chapel; (singing:)"Pull for the Shore," "In the Prison Farm We Sit;" &c., &c.; the Lord's prayer; good night.

Scene 4. The parents humble home; the Mother's illness; the distress; the Father's last hope; his appeal to the highest court in the State; the children's request; their suffering; at the point of starvation; Maxwell's means exhausted; all he can earn goes to court and attornies—Tableau; the evening prayer and song.

Scene 5. Maxwell Macholm, still hepeful; Myron must be restored; his last dollar for justice; the highest tribunal; Maxwell as a champion of justice; they shall not escape my contempt and my revenge; misfortune seldom comes singlehanded; bad tidings brought to the Father; come home Father quick, poor Ma' is very sick; Maxwell gets nervous! I fear the last chapter of this drama is not written; God help us.

ACT IV.

Scene 1. (Two months elapse,) bad tidings from the Supreme Court; they refuse to interfere; the last hope gone; is there no more

hope for poor Maxwell? I fear we are lost; never give up; Maxwell's brave heart will not desert him; new found friends appear; they are bound to assist Maxwell; "friends in need are friends indeed;" the appeal te the Governor; the benefactors indorsement does the work; the pardon freely given; Myron is once and forever at liberty.

Scene 2. The good news sent home; wife and children are happy; his arrival at home; new complications arise; the Mother takes a relapse; the new arrival; a boy baby, but life is extinct, it is the result of the Mother's grief, the Mother not expected to live.

Scene 3. The Father's return; the baby laid out for burial; the Father's nerves unstrung; he registers a vow; one of the Conspirators and the Chief Culprit shall pay the penalty of this sad misfortune; so help me; heaven!

Scene 4. The Wife constitutes herself a pacifyer; it is useless, wife; this plot is too strong, the chain must be broken, the chickens shall come home to roost—die! he shall, at the hands of an outraged parent; a warning to all evil doers

ACT V.

Scene 1. The funeral; the boy taken to his last resting place; the undertaker; one more being without a heart; the Father begins his work of retribution; revenge and murder the only redress; the wife's appeal to desist is not heeded; her prayer for her husband; the night's storm is fearful, but it is condusive to my plan; and it is in conformity with the fearful storm within me.

Scene 2. The little room in the deserted house; Maxwell in counsel with his co-woker; the strange document; the plot will work; he shall be trapped; he must meet me before twelve o'clock at midnight; he will not suspect; Hanson my servant, you are one of the few friends left me on whom I can depend; all shall work right, and this trusty steel shall find his black heart.

Scene 3. Maxwell's return to the humble home; the family in sweet slumber; it is nigh unto midnight; and my labor of mercy and revenge shall be initiated; it is but one step from virtue to vice; but Maxwell shall be true to his vow; come what will; the cloak and shovel are brought into use; my poor family; they slumber sweetly and know not the extent of this moment's work; it shall be so! slumber sweetly dear ones, farewell!

Scene 4. At the grave-yard; the resurrection; heavy thunder and lightning; Maxwell digs for dear life; the cherished treasure shall soon be within my embrace; the evidence of his guilt will be brought face to face; the tyrant shall tremble; farewell silent tomb; thy treasure shall be avenged and returned to thy bosom.

Scene 5. The half way rest, the meeting at the old chesnut tree; my trusty friend will meet me and bring me good tidings; the soliloquy; the poor man communes with himself; the value of a

trusty friend in need; a blessing of God indeed; Mr. Howe my friend; our merciful Governor; noble men are still in the land—thank heaven!

ACT VI.

Scene I. Arrival of Maxwell at the Court-room; it is eleven; at twelve the child commands me to fulfill my vow; his brain reels, but will not flinch; Judge DeWiley, the deluded victim arrives; Maxwell a changed being; the Judge does not know him; Maxwell as Dictator; "he is in my power; these walls shall be his living tomb, and the ceiling his tomb-stone;" the proposition; the deed; the death warrant; the denoument; I am Maxwell Macholm, thy Executioner! Maxwell Macholm? by heaven; my injured victim; I am lost! lost!!

Scene 2. The spirit hour; the proof of his guilt; the tempter; the dagger; the apparition; but one moment more and the weapon of death is buried within its victim; the spirit angel; the invisible, voice; " Father! Father! retribution is mine! desist!"

Scene 3. Maxwell's reason returns; the stain of blood upon the would be victim's forehead; blood! blood!! "I am indeed, a murderer;" insanity takes place; his reason is dethroned; Maxwell's prayer and thanksgiving; I am saved and my enemy is avenged; the tyrant shall be slain, by his own weapon.

Scene 4. The Lunatic Asylum; Judge DeWiley, a hopeless maniac; his partners in crime tender him a visit; he knows them not; his ravings are heart-rending; the tempters; the originators of his downfall retreat in shame and supplication; his best friend; his wife; she comes; she is almost stricken with grief; his vision deserts him; the doctor arrives; poor deluded man, he is gone to his Maker! the tyrant is no more!

Scene 5. Maxwell and wife in their new home; they are prosperous again; Maxwell reading paper; poor and misguidued man; he is gone; whence no traveler returned; another bit of news; the original conspirators all receive their doom; they are miserable for life; their fate is a solemn one; but mine is no better; Maxwell can be happy no more!—Grand tableau.

CURTAIN RISES.

ACT I.

SCENE 1. (The three jolly companions drinking at a table:)

JAKY PRITTEN—Fill up the glasses, boys! let us be merry; money makes the mare go! money buys liquor! ha! ha! we do it in style boys! eight fifty from one; eight fifty from another; making seventeen dollars—ha! ha!

WM. HATWELL—But Jaky? how much damage was actually done by the boys? can you not raise the amount? seventeen dollars are already gone, and where shall we get the wherewith tomorrow evening?

JAKY PRITTEN—Easily done! part! other boys were there; seven more boys were there; and it would be an easy matter to fleece them all; you! as an old detective should know; that the parents will pay up any amount, sooner than to have trouble and a law suit! we can do it boys; and at least three more weeks, we shall be able to continue this fine spree, upon the money of the victims.

WM. HATWELL—But you say, the damage done, did not exceed two or three dollars in total, and you have already received seventeen dollars?

JAKY PRITTEN—More the fool you are! we have gone into this matter with a full hand, and we must come out full-handed! we shall; we must have the money! by fair means, if possible! by foul, if necessary; we shall make a compact; a plot, a conspiracy, as it were; if you all swear it! we will do our worst; we are looked upon as respectable, and our work is easily done!

PATTON HUGIT—Second detective—(with little of the Irish brogue)—the liquor getting little the worse of all—"Be the powers; Jaky is sinsible, the strong arms of the law is with us; are we not part of the law, be jabors, dedictives! so we are? will detict them by the way; upon the information of Jaky, will arrest them in the dead of night, and we shall soon find more conspirators to assist us! yes, boys! will have it, ether the money or the boys; and if the parents refuse to shell out; they shall suffer! be the powers!

WM. HATWELL—And who of the seven shall be our first victim? I say!

JAKY & PAT—It shall be Myron Macholm!

WM. HATWELL—And why him?

JAKY—William! you are not wise; I wonder the authorities re-

tain you as a detective, if you can not see into a plot, better than you do; do you not remember, that young Reynold and Kerans, took several tools from the shop; after breaking the windows, threw them into the canal; and afterward they took a reamer; a tool worth about two dollars; but which we may claim to be worth ten or fifteen dollars; we can do it as well as not; and we can without detection, claim that the damage sustained, has been more than seventeen dollars; which we have already received?

Wm. Hatwell—But if it came to an oath; Jacky? how could you swear to those things? you say yourself, that of the sixty-four panes of glass, you claim they had broken, thirty or forty had been broken long ago; previously to the boy's transaction; and your actual damage in factum and totalum; were but eighty or ninety cents? and ——

Jaky—(Rising and getting angry)—fool! idiot! do you wish to betray our plans? and think you; yourself, a model of humanity? or do you fear to take part in the proceedings? I am convinced, that you never refuse to participate in our fun and pleasure; even the wine! ha! ha! what say you now?

Wm. Hatwell—Nay! Nay! my friend; I am with you heart and soul; to detect is my business; and my pride, though, even it be a sham; you may depend on me in this matter· but our plan must be well laid so that a failure, shall be impossible.

Pat—Yis, boys! so I say! we dedictives must be shrewd, and one failure may be our downfall; legally, if not morally, and we are ready to hear the plot.

Jaky—Here goes; fill up boys, and drink to success—(they all drink)—now for the plot and to-morrow for the execution; (all get close and listen) (Jaky proceeds:) we all know that the boy Myron took no part in the breaking of the windows; or the taking of the tools, but we must get the two boys that done the mischief to participate in our plot; which we can easily do; their fathers respectively keep a wine and liquor shop, and of course we all know them; well.

William and Pat—You bet we do!

Jaky—We can make old Maxwell, (Myron's father) believe, that his boy broke at least thirty of the glasses or more; and then perhaps, he will come down with the stamps; our price in the transaction shall be three dollars and fifty cents, which would make it appear a fair allowance for damages sustained.

Wm. Hatwell—But if he finds he has broken no glass at all? what then?

Jaky—We must give him no time to find out the truth; besides, we tell him; the boy had stolen the reamer, (the tool which young Reynold's had given him;) and which he has now in his possession; a fact! which he cannot deny; and even if he had not taken it himself, he has it in his possession; which fact, alone would be "prima facia" evidence of stealing or receiving stolen goods;

easy enough done boys; I tell you, to prosecute him under such circumstances will be an easy matter; we will prove "petit larceny," at any rate; but there will be no trouble; the old man Maxwell will not let matters run thuskfar, that we must go to extremes; I am thinking, he will shell out the stamps, and we shall be heeled for one night's spree at any rate; and if we should fail; the boy shall suffer; the father shall suffer; the whole family shall suffer; we are bound to help ourselves!

ALTOGETHER—Well planned, Jaky; give us your hand; you are a jolly companion—(Jaky)—to morrow evening, we shall meet at the corner of Market and Jefferson streets, and press our demand—all exit; curtain drops.

SCENE 2. The work-shop—(sign)—Maxwell Macholm, Cutter and tailor; (Maxwell, the Victim's father hard at work)

MAXWELL—Hard times indeed; work scarce and money scarcer; a person hardly sees his way ahead; customers have no money; and—(rap at the door)—a-ha! customers! hope they are paying ones—(rap again)—(Maxwell runs to the door and opens it)—(enters, Jaky Pritten, Wm. Hatwell and Pat Hugit)—Gentlemen! walk in; nice evening this! nice evening! what can I do for you, gentlemen? take your measure for a suit? (flourishes tape-line and pencil)—(Jaky to his companions)—the evening will not be so nice to him; and the measure will be for his greenbacks—(aloud to Maxwell.)

JAKY—Mr. Macholm, we did not come to leave our measure this evening; but we have come ——

MAXWELL—No matter, gentlemen! no matter! I always like company; measure or no measure.

JAKY PROCEEDS—We have come upon unpleasant business; unpleasant to ourselves, and certainly, more so to you, sir!

MAXWELL—Unpleasant, gentlemen? unpleasant? what can be the matter, pray?

JAKY—We wish to see your son Myron, sir! I suppose you know us; my name is Jacob Pritten, and these two gents here, my companions; are officers of the law.

MAXWELL—You wish to see Myron? what has he done to you, gentlemen? I have not heard of his having been wayward in any shape or manner; but I will call him; methinks he is but a short distance away from here—(exit Maxwell.)

JAKY—I am nervous; he is a hard working man, and apparently honest; it is almost a pity—to deceive him—thus—but necessity knows no law!

WILLIAM—It is his pride and honesty, that will subdue him and make him come down; his good qualities are in our favor, and our advantage is easily gained!

JAKY—But I understand that he is one of those kind of men,

that he will first see; whether he is right and our demand just, and then he will go ahead; come what will!

WILLIAM—But that will help him nothing in this case.

JAKY—Right or wrong; our demands must be satisfied, or by the eternal, they shall suffer.

(ENTER—Maxwell Macholm with his son (Myron,) not yet thirteen years old.)

MAXWELL—I have found him, gentlemen! and here he is—I hope your desire and business with him, will be stated in my presence?

JAKY AND WILLIAM—Certainly! it is no secret.

JAKY—Myron! how many panes of glass did you break on last Sunday; when you, in company with a lot of other boys, were playing about our factory?

MYRON—None sir? I was merely looking on; when Reynolds and Kerans done the mischief; and I took no part in their game, whatever!

JAKY—I understand, and we can prove, that you broke some thirty or forty panes of glass.

MYRON—I deny it! it is a falsehood.

JAKY—Then you deny that you stole a reamer, also?

MYRON—I do!

JAKY—Have you not carried away a reamer, and which you have now in your possession?

MYRON—(After a pause;) if you mean a piece of iron with a knob on the end of it; and which we called a billy; the one given to me by John Reynolds—I have it! when and where he got it; I know not, sir!

JAKY—Where is it now?

MYRON—At home, upon a shelf; I will go and get it for you; if you wish! but (getting his young blood up, and shaking his fist,) never dare to say; that I stole it!

MAXWELL—And, gentlemen, do you accuse this boy with these charges; and can you prove them?

JAKY AND WILLIAM—We are sure he did it! we are ready to prove it?

MAXWELL—Then gentlemen! what is your purpose and desire?

JAKY—If you will pay the damage for breaking the glass, we will drop the matter.

MAXWELL—And how much shall be the price of the damage?

JAKY—Three dollars and fifty cents.

MAXWELL—Gentlemen, I will make inquiries truly and faithfully into this matter; if the boy be guilty; I will pay the amount, and if

not, I shall probably not do so. Good evening—(waves his hand.)

JAKY—To-morrow at noon we will call, and you better have the money ready—(exit.)

MAXWELL—(To Myron)—"Boy," tell me the truth! have you done this mischief?

MYRON—Father, I have told the truth! I am not guilty of either charge?

MAXWELL—I will see the boys, and hear their own statement. (Waves his hand to the boy)—(boy exit.)

MAXWELL—The boy is innocent, I can see it plainly; but I will gather further proof; I shall get it, and I hope that the boy's innocence will be established; (starts for the door;) curtain drops.

THE WORK-SHOP AGAIN—Maxwell at work cutting—call off numbers—44-32 16¼—measures with tape-line and marks off with chalk.

ENTER—(Jaky Pritten, Wm. Hatwell and Pat Hugit.)

JAKY—(Defiantly;) well sir; have you got the money? can you comply with our demand?

MAXWELL—Gentlemen! by all information I can gather from parties present on the day you mention; I find that my son Myron; in fact, has broken no windows, and that he had not been nearer to the shop than several rods; gentlemen, your demand is unjust! but the amount you ask, being trifling, and yet, considering the dullness of the times; work is scarce and poorly paid, and my large family at home, and money comes in very slowly; it is hard on me these times; but, yet, if you will reduce the amount, I would rather let my family suffer for one day or two; and I am sure, they will not grumble—say two dollars, gentlemen—two dollars, and call to-morrow; this time about; and the amount shall be placed in your hands—I beg of you humbly; (bowing politely,)

JAKY—No sir! three fifty is our demand; and that at once; we shall not wait ten minutes, or you shall suffer!

MAXWELL—(Emphatically;) then by the eternal! suffer I will; sooner than to satisfy your unjust demand, and your insolence to me—"nay," your defiance shall not scare me! and if you were even a legion of devils, instead of three!! you could not move me one peg—thieves! robbers!! blackmailers!! begone!!!—(takes up the big shears and holds them aloft;) my patience is gone—do your worst! vile devils!—I shall protect the innocent, though it takes the last cent of my worldly goods; begone, robbers! I say, begone!—tyrants, shall not make Maxwell tremble, though he be humble and poor; leave me! this sanctum shall not be poluted with your vile presence—begone!!—(they exit in a hurry and shake their fists in defiance—curtain drops.)

SCENE 3. The tailor-shop again—(nine o'clock in the evening)

PERSONAL—Maxwell Macholm and Myron.

ENTER—Hatwell and Pat Hugit; (officers of the law.)

Wm. Hatwell—We have come to arrest your son Myron upon the charge of (malicious destruction of property and petit larceny!)

Maxwell—Have you a warrant, gentlemen?

William—We have; (reads it to Myron.)

Hatwell—(Reads)—State of Ohio, Montguernecy County, S. S., Greeting: to any constable or policeman—whereas, information has been made, that Myron Macholm; on or about the 12th day of March, 1877, at the County aforesaid, unlawfully did steal, take and carry away one reamer of the value of ten dollars of the goods, chattles and property, of one Jacob Pritten and others, these are therefore to command you to forthwith arrest the said Myron Macholm, and have him before this court, there to receive what shall be done concerning him. Signed,

John Frank DeWiley, Judge.

State of Ohio, Montguernecy County, S. S., Greeting: to any constable or policeman—whereas, information has been made, that Myron Macholm; on or about the 12th day of March, 1877, at the County aforesaid, unlawfully and maliciously did destroy sixty-four panes of glass, of the value of five dollars, the property of Jacob Pritten and others, and to the damage of said Jacob Pritten and others, to the amount of five dollars; these are therefore, to command you to forthwith arrest the said Myron Macholm, and have him before this court, there to receive what shall be done, concerning him. Signed,

John Frank DeWiley, Judge.

Maxwell—Charge away—go! boy, go!! I shall be with you and prove your innocence; if justice be found in the land, (to himself,) but I fear this devilish conspiracy has taken too deep roots already; I know they will do their worst—we shall see! (Officers march boy off)—(curtain drops.)

ACT II:

Scene 1. The Trial—The wiley Judge takes a (full hand in the game!) Judge—jury; prisoner; witnesses and lawyers are present—the trial proceeds.

Scene 2. (Judge DeWiley reads charge, to-wit:)

The State of Ohio, Montguernecy County, S. S.

The State of Ohio,	}	Information
vs		for
Myron Macholm.	}	Petit Larceny.

James Sprague—Prosecuting Attorney of the State of Ohio, for the County of Montguernecy, now here in said court, in and for said County, in the name and by the authority of the State of Ohio, information gives, that Myron Macholm, on the 12th day of March, 1877, in the County aforesaid, unlawfully did steal, take and carry away one reamer of the value of ten dollars, contrary to

the form of the Statute, in such case made and provided, and against the peace and dignity of the State of Ohio.

J. Sprague, Pros. Attor'y.

The State of Ohio, Montguernecy Co., S. S.

Tht State of Ohio,	}	Information
vs		for
Myron Macholm.	}	Malicious destruction of property.

James Sprague—Prosecuting Attorney of the State of Ohio, for the County of Montguerenecy, now here in said court, in and for said County, in the name and by the authority of the State of Ohio, information gives, that Myron Macholm, on the 12th day of March, 1877, in the County aforesaid, unlawfully and maliciously did destroy sixty-four panes of glass of the value of five dollars, the property of Jacob Pritten and others, and to the damage of said Jacob Pritten and others, to the amount of five dollars, contrary to the form of the Statute in such case made and provided, and against the peace and dignity of the State of Ohio.

J. Sprague, Pros. Attor'y.

Judge Frank DeWiley to Prisoner—Myron Macholm are you guilty of either, or both charges? or not guilty?

Myron—Not guilty of either charge, sir? (the jury sworn..)

Judge—Gentlemen of the jury! please stand up; (they rise;) hold up your right hand:—Will each and all of you, solemnly swear, &c., &c., ——

Prosecuting Attorney to Jury—Gentlemen of the Jury! Under this information, the State expects to prove, that the defendant went, on the day mentioned, in the information, to the factory of the prosecuting witness; (Jacob Pritten & Co.,) and in company with a number of other boys, broke a lot of windows, and while there, the defendent stole the reamer charged to have been stolen, that when asked about it, denied all knowledge of having it; that it was afterwards given to the officers. To this charge, it is proper to say, the defendant has plead not guilty.

(Witnesses are all sworn)—(Judge administers the oath)—(stand up and hold up your hands.)

First Witness—Jacob Pritten—I am joint owner of a manufactory; on the 12th of March last, sixty-four panes of glass were broken out of our factory, to the value and damage of twenty-five dollars; I was informed that two boys had broken them; their names are John Reynolds and John Kerans; I went there and they acknowledged the mischief, and their fathers respectively, paid to me the sum of eight dollars and fifty cents, making seventeen dollars; being two-thirds of the damage sustained; at the same time, they told us that Myron Macholm, was the other, or third party, that stole the reamer; we went there, to Maxwell Macholm's,

the boy's, (Myron's) father, and confronted Myron, but he denied all knowledge of having seen said reamer, but afterwards, when we pressed him, and when we returned, we found the tool in his possession! and I, then had him arrested. (Cross examined by defendant's counsel.)

LAWYER DRAVENS—And what was your demand for money for?

JAKY PRITTEN—I made no demand for money!

LAWYER DRAVENS—Did you not demand three dollars and one-half? (Jaky Pritten Getting red in the face and ashamed.)

JAKY—I did not ask for money!

LAWYER DRAVENS—You deny it then? it is all we want!

WILLIAM HATWELL—I am an officer of the law; went with Mr. Pritten to get the reamer from Myron Macholm; he denied having the same; but we found it afterwards in his possession; I arrested him subsequently. (Cross examined.)

LAWYER DRAVENS—What was your motive for calling a second time; several days after? (Wm. Hatwell gets red and perspires.)

HATWELL—We did not call a second time.

LAWYER DRAVENS—Then you deny; also; that you went to (Mr. Macholm's) in company with Mr. Pritten, and demanded from Mr. Macholm the sum of three dollars and fifty cents; what was that for?

WM. HATWELL—I deny it, we were not there.

LAWYER DRAVENS—That will do sir! I call Mr. Maxwell Macholm!

MAXWELL MACHOLM—On or about the 25th day of March; Jacob Pritten and Wm. Hatwell and another, came to my shop and asked for Myron; I called him, and they accused him with the breaking of forty or fifty panes of glass at the factory of Mr. Pritten; Myron denied it; he said he broke none; that two other boys done it; and he mentioned their names; I asked the boys about it, and they told me that Myron broke no glass; and these two gentlemen of high position, and another man; do not know his name; (but by his brogue;) I think he is a native of the "Emerald Isle," and tolerable fair looking; they demanded of me the sum of three dollars and fifty cents, and when I found that Myron broke no glass, I stated the fact to them, and told them, as the amount being small, I would pay two dollars, and begged of them to call the next day and receive their unjust demand; and in order to scare me, they accused the boy of larceny; which the boy also denied, and which I found upon reliable information, that he received the tool from another boy, but did not steal it; and then ——

PROSECUTING ATTORNEY—Too much, too much; come to the point.

MAXWELL—Presently sir! presently!! and when I told them to call next day for the two dollars, they got mad and swore they must have it immediately, but I did not have it, and times are hard, and I being a poor man, I promised to pay them the next day; in my humble way, you know, and ——

PROSECUTING ATTORNEY—To the point, to the point, sir!

MAXWELL—Beg your pardon, humbly, sir! but as I was saying, in my humble way; they said, they must have three dollars and fifty cents, and that without delay; and as I said, I had not the money right in the palm of my right hand, in my humble way; just wanted a short delay, so as to enable me to raise the money, without letting my family suffer, and I ——

PROSECUTING ATTORNEY—Enough, enough, sir! (Humble Maxwell takes nervous shakes, and his fingers were beginning to work.)

MAXWELL—Beg of you humbly—but I said, in my humble way, that they would oblige me to wait, but they got mad and told me that I should suffer; but that sir, raised my ire; "it was the straw which broke the camel's back," and as I then thought in my humble way, that they were imposing ——

PROSECUTING ATTORNEY—Contempt of C ——

MAXWELL—Exactly sir! I thought in my humble way, that it was contemptible, of course, and I did raise my shears aloft, and swore they should not have one cent; that I would suffer first, than to satisfy their unjust demand; and their insolence to me, I could not stand, and I do believe, I would h——

PROSECUTING ATTORNEY—That is all sir! that is all!—(exit witness.

JOHN BOWER—I was with the boys when the windows were broken; Myron broke none; he was with us boys, and not near the factory; about ten rods away; John Reynolds brought the tool up to us, and asked us if we wanted a nice billy; he gave it to Myron!

WM. BOWER—I was near the factory on the 12th of March; saw some windows broken; Kerans and Reynolds broke them; they threw some tools into the canal and gave Myron a tool for a billy; Myron broke no glass.

WM. DEGAN—I was with the boys on that day the windows were broken; Myron broke none, nor did he take the tool, it was two other boys that done it.

WEBSTER RAY—On the Sunday mentioned; six of us boys were sitting some eight or ten rods away from the factory; Myron was with us; Kerans and Reynolds done lots of mischief; we were looking on to see the fun; Myron was with us, and not with the two boys, that done all!

GEORGE APPEL—I know all about the case; it was Kerans and Reynolds that broke the windows; and Reynolds brought the reamer up to Myron; Myron, do you want this billy? he said; I'll

take it, if no body else wants it, said Myron, and he put it in his pocket—that's all.

Wm. Wilson—I passed the factory about the day mentioned; it was Sunday; I saw two boys by the factory, breaking windows; these are the two boys, (pointing to Kerans and Reynolds.)

John Kerans—I was one of the boys that broke the windows; me and John Reynolds broke them; know nothing about the tool.

John Reynolds—I and Kerans, broke the windows, and I took the tool.

Prosecuting Attorney—Who told you to take it?

John Reynolds—It was Myron Macholm.

Myron Macholm—I broke no windows; neither did I take the tool; neither did I tell John Reynolds to take it; it is a *falsehood*, and a big lie! I was not near the shop, and Reynolds brought the tool to me; and he said: Myron, do you want a billy? I said: yes, I will take it, and put it in my pocket; that is all I know about it. (Testimony rests.)

Argument of Prosecutor—James Sprague, Esq.—Gentlemen of the Jury: I will not detain you long in what I have to say in opening the case. The State has proven, I think, beyond a doubt, that the reamer, charged to have been stolen, was taken from the factory without the consent of the owners—its value has been proven to be ten dollars. Now the only question for you to determine, is; is the defendant guilty, as charged? We think, there can be no doubt of this; from the fact, that the law presumes, where goods recently stolen are traced to the possession of one; not the owner, who can give no reasonable account of the manner in which he came into the possession of them; or gives contradictory and conflicting statements concerning the manner of getting possession, is presumed by law to be the thief. This view of the case I take, and therefore think, I am but doing my duty, to ask a verdict of guilty at your hands. I will now leave the case, until I hear from the counsel for the defendant.

Charge of the Counsel for the Defence—M. Dravens for Defendant—Gentlemen of the Jury: In making my argument for the defendant in this case, in defending him against that, which I regard as a foul conspiracy, I shall make no claim; except, that which I feel perfectly warranted in making, by the testimony of the witnesses, and shall confine myself to their statements made under oath. You, gentlemen of the jury, have heard and attentively listened to all their statements; and you can not fail to remember that all the witnesses, save one; and (that one, the self-acknowledged thief;) have sworn that the defendant, did not only, not steal the article charged to have been stolen, but was in no position to abet the theft. It is shown that his character is good; that he has never before been charged with any offence; although he did have possession of the reamer after the theft was

committed, there is not a single syllable of tesimony, that at the time he received, or ever knew before this arrest was brought, that it had been stolen; save and except, the testimony of the boy who did steal it, and that testimony is not only unsupported by ALL the other witnesses who were there, but is flatly contradicted. Now, gentlemen, can you on your oaths as jurors, with this plain and unvarnished statement of facts before you, this powerful array of witnesses, convict this poor boy of an offence of which he is as innocent as you are,—can you cover him with an infamy which will cling to him for all time to come, while the one who acknowledges himself the thief, goes unwhipt of justice. Think of your own boy, if you have one, being the victim of so foul a conspiracy, and say by your verdict—go hence. We do not ask a verdict of not guilty through any sympathy we might excite in your minds, but upon the broad principle of human justice which will not permit even the humblest of God's creatures to suffer for the crime of another. Gentlemen, I thank you for your attention, and leave the case in your hands, fully believing that you will acquit the defendant and send him forth without a single stain on his hitherto unblemished character.

PROSECUTOR'S LAST ARGUMENT.—Gentlemen of the Jury: I do not care to occupy much of your time in this the closing argument of this case. I believe upon a consideration of all the facts, and under the charge which shall be given you by the court, you will be warranted in rendering a verdict of guilty, and that speedily. It is true as stated by counsel, that a cloud of witnesses have sworn that the defendant did not steal the article charged to have been stolen, but thus I take it: you will consider for the most part in the character of negative testimony, when you consider the fact that one of the witnesses swears that the defendant pointed the article out to him and told him to take it; why, these little rascals will swear to anything, and you are not bound to believe anything they say. The idea that this boy is not guilty, is ridiculous. You are here to defend the community against just such depredations as this. You are here to say, that rogues of all ages shall be punished; and the fact, that a defendant happens to be a young boy, as in this case, you must not take into account. It has been shown that he did receive the goods stolen, and you must say if that is not as bad as the stealing itself. There is no law to punish him as the receiver where the amount is less than thirty-five dollars, unless you find him guilty as the thief. With this, gentlemen, I leave the case in your hands, feeling that I may well do so under the charge of the court, and feeling no apprehensions as to what your verdict will be.

CHARGE OF JUDGE DEWILEY.—Gentlemen of the Jury: You will find if you can, from the evidence, whether the defendant stole the article charged in the information; it is not necessary that he

should take it from the place where it lay, in order that you may find him guilty, but if it was done by his directions, he is still guilty; for the law says that an aider and abettor shall be punished as the principal offender. In this case you have the testimony of the boy Reynolds who says that the defendant told him to take the reamer; if you find that to be true, you will return a verdict of guilty; if you find that the defendant received and concealed the reamer after it was stolen, knowing it to have been stolen, he is also guilty of the larceny as charged in the information; if you find that the defendant has given contradictory statements as to how he came into possession of the property, it will be considered as far as it goes, as evidence of guilt. You will therefore take all the testimony and weigh it carefully and bring in your verdict accordingly. You will now retire. (The jury render a verdict without leaving the box.)

Verdict—Guilty of petit larceny—value of goods received—five dollars.

Judge Frank DeWiley—Officer! take this boy Myron back to jail—(he is taken off)—exit Myron and officer)—(curtain drops.)

Scene 3. Myron in prison—(two weeks elapse; he is taken before the judge for sentence.)

Judge—Myron Macholm: have you anything to say why sentence should not be pronounced upon you?

Myron—(In surprise)—sentence! I thought that my time in jail—almost two weeks was sentence enough for any body, that has done nothing in the world, to offend neither God nor the law; I was in hopes that I was discharged, and my freedom given me!

Judge—That is where you are mistaken! your imprisonment will just begin,—believing that you are the wickedest boy in the State, I now sentence you to the Institution, called the Reform Farm (boy starts) for the term of eight years and two months, or until you become of age—(back to prison with him, until he goes to the Farm)—(officer takes him)—(curtain drops.)

Scene 4.—The last hope—the writ of habæs corpus; Myron brought before a higher court. Judge Ellicott becomes interested; he believes in his heart, that the judge below is a conspirator, and tells him to discharge the boy.

Enter—Judge Ellicott—Judge DeWiley! this case of Myron Macholm has been brought before me upon a writ of habæs corpus, and after mature deliberation, and considering all the facts in the case, and being as I believe, powerless to discharge the boy, for want of jurisdiction, I have concluded to say to you, however, in justice to all parties, that you had better discharge the boy; he is neither a criminal nor a vicious boy, and has been already in jail

two weeks, which is punishment enough for any boy, under the slender evidence upon which he was convicted.

JUDGE DEWILEY—I will take your advice, judge, and act accordingly—send the boy to me and I will release him; (exit Judge Ellicott;) (Myron is sent to Judge DeWiley and released)—(he appears with the Sheriff who carries a large bunch of keys.)

JUDGE DEWILEY—Myron, I will discharge you for the present; (Myron bows)—Myron at liberty)—(curtain drops.)

SCENE 5. (The conference)—(another link to the chain of conspiracy) seated in a room—(Judge DeWiley, Pritten, Hatwell, Hugit)—(they all drink.)

JAKY—And now judge; you have caused the boy Myron to be discharged, and thereby, we have lost all our chances of satisfaction! we were still in hopes that old Maxwell would have to pay!

JUDGE—Why, gentlemen, it was no use, the old man would not come down with the stamps, and Judge Ellicott, not only advised me to discharge the boy, but his advice, almost amounted to a mandate; he seems to have taken an interest in the case, and ——

JAKY—But you were not obliged to discharge him?

JUDGE—Not altogether; but I thought it best to let him go at present.

WM. HATWELL—But you can have him re-arrested again?

JUDGE—I can upon good grounds?

JAKY—But look here—(forcing the judge to take a full glass more of whisky in order to get his spirits up)—take this judge and I will come to business—(judge drinks)—now judge; here is a greenback, and besides our friendship and support for your next election; we will assist to replace you in your chair for two more years to come; you know our influence amounts to something—(hands him the bill.)

JUDGE—Well boys, (getting befuddled,) knowing your desire, and taking for granted, (hic!) that you will use your influence in my behalf (hic!) at the next election, (hic!) I will have the boy re-arrested, (hic!) and start him for the Farm at once, (hic!) before the parents and attornies have a chance to reclaim him,—(hic!) I promise to do it—(hic!) (all shake hands and depart;) (exit all;) curtain drops.)

ACT III.

SCENE 1. The re-arrest; in prison again, and the former sentence put into execution—eight years and two months to the Reform Farm.

MYRON—On his way to the well to get a bucket of fresh water for his sick mother)—(early morning)—(a country scene.)

SHERIFF FREMONT—(Looking around the neighborhood, watching for Myron to appear)—"I have been watching and waiting here, for nearly an hour, and yet, I have not seen Myron; I hope he will soon come; it is almost too bad to re-arrest the poor, simple boy, but my orders are imperative; I must obey orders, whether they suit me or not!

MYRON—(He is at a distance, carrying a bucket and singing lively)

SHERIFF—He is coming! he sings; poor boy! his tune will soon change!

MYRON—(Singing "The Sweet By and By" &c., &c.)

SHERIFF—He sings "The Sweet By and By"—I fear the by and by, will be a bitter pill!—(Myron to the front.)

MYRON—I can not help thinking, when I look about me, this beautiful spring morning, how near I came losing my freedom,—May, the merry month of May, with all the flowers, just opening their beautiful eyes, and yet, so damp with tears of joy; "as it were," they too appear to appreciate this beautiful country scene, and why should I not be happy?—just two weeks released from jail; two weeks of sweet liberty! what is more precious than liberty?—yes, "give me liberty, or give me death!" (holding up the bucket and stamping his foot)—(sheriff concealed)—(he appears upon the scene;) "Come Myron, Judge DeWiley wants to see you!"

MYRON—Not suspecting evil—Judge DeWiley! I don't care about seeing him, though—I don't like him!

SHERIFF—Come on, you must come at once! (Myron sits down on the bottom of the bucket)—the judge ordered me to take you to your new home, the Reform Farm—within ten minutes we must be off.

MYRON—And must I really go away from home? is there nothing to save me?

SHERIFF—I fear there is no hope!

MYRON—Then take me to my parents, and my brothers, and my sisters, once more, that I may bid them farewell; they know not where I have been taken to, and they certainly know nothing of my fate?

SHERIFF—I can not do it; my orders from the judge are peremptory, and I must obey them; get ready, we have but five minutes more.

MYRON—Then, in God's name; I must go! it is hard!—weeps—(Myron and Sheriff leave for railroad station)—(curtain drops.)

SCENE 2. Maxwell Macholm at the judge's office.

MAXWELL—Judge, do I understand that my boy Myron has been re-arrested? what can be done in his case? is he still in the custody of the sheriff?

JUDGE—(Smiles triumphantly)—he is indeed, and perhaps nearly a hundred miles from here by this time!

MAXWELL—(Surprised)—a hundred miles?

JUDGE—Yes! before many hours he will be at his new home! the Reform Farm!!

MAXWELL—(Starts)—Reform Farm? did you say? I thought, judge, that you would not send him there?

JUDGE—It was imperative! some of my constituents came here and demanded the sentence executed, and I had to fulfill my duty! their demands are paramount to my own inclination!

MAXWELL—Your constituents? a ha! the conspirators! they were at work again—(judge starts)—(to himself)—"I believe in my humble heart, he is one of the gang;" (aloud) if there be a remedy, judge, the boy shall be returned; I will hasten and apprise my poor wife of this inhuman act—(exit Maxwell.)

JUDGE—Deluded people! what can they do? your doom is sealed, you will find to your sorrow!

ENTER—(Fanny Macholm, the victim's mother)—(she staggers from the blow of the news)—(her appeal and her curse.)

FANNY MACHOLM—For Heaven's sake! judge! what have you done? to take from me my boy, who has offended no body; return him to me, and God will bless you—you have a wife and children at home—and as you hope to be happy, return to me my boy, (pause) it may be but a few weeks hence, when my condition might change for the worse, and in that trying hour, I may not live to see my son again; and as you have a wife, that is like myself, but a frail creature, her condition likewise, may sometime become feeble, and her time upon earth, counted by the hour; yes! by the minute! and by the love she bears you, remember me, in this hour of distress! and return to me my boy!!

JUDGE—Leave me, woman! go hence! the boy is gone! perhaps never to return!!

FANNY—And there is no hope? no mercy?

JUDGE—None! (he laughs in triumph.)

FANNY—Then! in God's name! take this curse! (raises her right hand and falls on her knees!) I do now implore and beseech the Almighty God above us, and who is a merciful Judge of all! that he will send a champion of justice to avenge the dastardly deed thou hast maliciously and wilfully consummated! Heaven grant this my humble prayer—the prayer of an outraged mother! (judge listens spellbound)—(Fanny exit)—(staggers off)—(judge throws off the spell and laughs like a fiend)—(curtain drops.)

SCENE 3.—The Reform Farm—prisoners, wardens, overseers and so forth—prisoners dressed in hickory shirts and overalls and straw hats—Myron among a group of prisoners—[white and black;] the line of march to the Farm and vineyard.

Myron—(A hoe in his hand and looking over the scene)—this scene is not altogether unsightly! it is almost beautiful [points finger] yonder! hills and dells; then the orchard and meadow, and also this beautiful vineyard—yet, the beauty of this scene gives me the more pain, (pause,) to think that I am a hundred miles away from home, from dear father and mother, and from brothers and sisters; (pause;) they may be sick, for aught I know, and the disgrace that they must suffer on my account! I shall not be able to write to them for thirty long days! it is hard! hard! (leans on hoe handle and weeps!)—(pause)—and these clothes, the garb of a prisoner, a felon's livery! and what have I done to be brought here thus? and without a moment's warning! (pause!) my parents I know, will do their best to deliver me from this ignominious doom! and my father says he will save me, if it costs him all he has!—he has not much money, I know!—but who knows what a year or two will bring forth! I will make the best of it, and I will write to my parents, that I like it here, it will make their burthen lighter, and God knows "mine" heavier—yet! I will do it! (pause!) I will wait and hope!

Overseer—(With a hickory stick, listening to his soliloquy—Myron sees him not—other boys at a distance working)—(overseer strikes him several blows)—a ha! you need not wait long! young rascal! I caught you, young fellow! take this for your trouble and your insolence—(gives him the rod)—you are put here to work and not to steal the time from thy master!

Myron—(Digging into work)—(he goes)—Myron looks after him over his shoulder;)—"confound his hickory stick, it smarts!" (pauses and rubs it!)—the sun is fearful hot, and I am not yet used to this kind of work, and between the heat, the hickory stick and the hard labor, my courage fails me; (pause;) this does not look like the "roll of honor" which they talk about, and which they say "entitles the holder" to his discharge! a roll! no! no! I call it a welt and a good one at that, (looking at the welts on his arms,) and I don't know where the honor is; (pause,) I may as well make up my mind to work and take my licking for the next eight years to come—(overseer at a distance)—"here he is again; I must work hard now—work quick!"—(overseer looks and goes off)—evening and recess—(the bell at head quarters)—boys fall into line)—march off—the vespers—singing and prayer—in the chapel—(First, song) In the Prison Farm we sit, &c.—(Second) Pull For the Shore, &c.)--prayer—all kneeling—curtain drops.

Scene 4. The humble home of Maxwell Macholm; the mother's illness; the distress; the father's last appeal to the highest court in the State—Fanny Macholm and six children sitting around a table and eating supper—one loaf of bread and a pitcher of water.

Child six years old—" Mother ! how is it that we get no butter on our bread ? and hardly enough at that ! I am nearly starved !"

Child three years old—" Ma, I am very hungry, the piece of bread you gave me was so very small !"

Mother—It is heartrending—they want butter; they want bread, and yet, where shall we get it? alas ! I am ill ! Maxwell, my husband, is ill at heart; he works faithfully days and nights; yet, he can not raise money enough to pay lawyers, court and traveling expenses, and yet, I know he will do it ! he is bound to restore the boy from his imprisonment and conquer his enemies—therefore, we must live within our means; for a length of time at least, children ! as soon as Myron returns, you shall have plenty of bread and butter and other things, too !

Children Altogether—Myron coming back ? well ! bring him back and we ask for nothing to eat till he comes !

(The Hungry Family)—The Vacant Chair—(Song.)

I

Hunger is a fearful portion,
'Tis well, for those provided—
Better death, than hunger's torture;
All our hopes are blighted.

Hunger ! Hunger !! Hunger !!! Hunger !!!!

II

Woe ! to those that hunger threaten,
It is the worst of curses—
Yet ! we'll not give up like heathen :
There's One above to bless us !

Good night ! Good night !!—(Some drops asleep)—(tableau,)

Scene 5.—The tailor shop again—Maxwell Macholm at work.

Lawyer Enters—" Mr. Macholm, I shall be ready to plead your boy's case before the Supreme Court the end of this week, and I hope I shall succeed."

Maxwell—I hope so—I hope so; but what will be the cost? I get discouraged at times—I have applied to all courts, except this

last one, and I have no relief yet—I have been thinking for a week past, that I may not be able to stand the expenses; times are so hard; very hard—money is scarce; very scarce, and my family at the point of starvation!

LAWYER—Well sir! we shall make the expenses as light as possible! here is the bill—(hands him a paper.)

MAXWELL READS—Transcript, ten dollars; fees and traveling expenses, twenty-eight dollars; recording fees, perhaps, six dollars; total, forty-four dollars:—forty-four dollars? Heaven's, it is fearful; it will break me up, I know; but yet, I will raise the money,—I have said: my last stitch for the boy's liberty, and my last stitch, it shall be—(to himself)—but my wife and children—they will surely starve—and yet, they will suffer in silence, even though they starve; providing the boy is restored to them—(to the lawyer aloud)—(takes out the money)—here is the money sir! though it takes the last cent—God speed and good luck to you, and to our last hope.

LAWYER—I will do my best, and use your money to the best advantage; I have not the least doubt but what my errand shall be successful, and bring you and your family good tidings—good day, Mr. Macholm.

MAXWELL—God speed, Mr. Dravens—may Heaven give you success.

LAWYER—As soon as I return I will report—(exit lawyer.)

MACHOLM—My last dollar, and my sick family at home—what shall become of them? but once my boy free, then my endeavors shall be to bring the conspirators to justice—(with the help of God)—I know he will punish the wicked, and I shall be the instrument—and I shall swear to become their executioner, and my revenge shall be upon their heads!—(knock at the door—child comes in.)

ENTER, CHILD—Come home father! quick! poor ma is very sick!

MAXWELL—A strange voice tells me, the last chapter is not yet written, and perhaps another chapter will be added—and I fear not the LAST! by many! God help us!—(puts on coat and hat—takes child in his arms and exit)—(curtain drops.)

ACT IV.

SCENE 1. (Two months elapse)—the highest court will not interfere—Myron is doomed—the last hope—the Governor—friends to the rescue—success at last!—Lawyer returns at the tailor shop.

DRAVENS—Mr. Macholm—my last effort, I am sorry to say, has failed—the court above has concluded to reaffirm the sentence of the court below.

Maxwell—I have had some sad misgivings the past few days, and my wife is very sick—I can not break the news to her—but, sir! can no more be done in the premises?

Lawyer—The Governor! he would be the last hope, indeed! but I think he will pardon the boy, if the full statement of facts are presented to him properly,—Mr. Howe, my colleague, has spoken to me this morning; he has heard of your case and he takes much interest in your behalf.

Maxwell—I will see Mr. Howe—I know him well, and we are not strangers; but I did not know he befriended me?

Lawyer Dravens—But he knows you and your wife; also the boy Myron, and he speaks well of the boy—his indorsement to the Governor will do you much good—I will see him, and his letter of introduction will be handed to you.

Maxwell—Many thanks to you Mr. Dravens, you have at least been a faithful servant to me, and have done your duty—(exit both)—change of scene.)

Enter Maxwell—(Valise in hand)—I have the papers in my possession with some good men as indorsers, and I think my errand to the Governor will succeed—(curtain drops.)

Governor's Private Room—(Enter Macholm)—(Macholm bows—How do you do Governor! happy to see you well.

Governor—What may be your business, sir?

Macholm—My business is very urgent, Governor; hence, you will pardon my intrusion at this time of day and at your private room!

Governor—You have it, sir!

Macholm—(Handing Governor a paper by way of introduction—Governor glances over it and looks at signature.)

Governor—My friend, Mr. Howe!

Macholm—I have more papers here Governor from other parties which I would thank you to read.

Governor—This letter from Mr. Howe, will do sir! you shall have the pardon—tell Mr. Howe that upon his indorsement alone, the pardon issues—call at my office at ten o'clock, and your papers shall be ready.

Malcolm—A thousand thanks, Governor! and the blessing of a dying mother, perhaps, shall crown your merciful act—(shakes him by the hand)—(exit.)

Scene 2. (The telegram of good news sent home—mother and children made happy)—at the Reform Farm; Myron apprised of his freedom; he doffs his uniform and appears a new boy—the arrival at home; the mother's relapse—the new arrival—a boy baby—but life is gone; the result of the mother's suffering and grief—one "boy" saved and one lost!

(Maxwell Macholm Returns)—Myron is with him! (Myron holding his pardon in his hand.)

Maxwell—Now, Myron, you have returned by a mere chance of good fortune; had it not been for friends, you would have had to stay your time out at the Farm.

Myron—(He feels happy)—he holds behind him a stump of a cigar and smokes and hides it—" I will go and see ma, brothers and sisters—I expect they will want to see me, and I them.

Maxwell—Yes, and then you go to your benefactors and thank them also; especially our good neighbor, Lawyer Howe!

Myron—I will—(exit, Myron.)

Enter Doctor—It is a boy, sir! but I am sorry to say—he is dead!

Maxwell—(Starts)—dead, did you say?

Doctor—Dead! and beyond the power of mortal man!

Maxwell—And what think you has been the cause?

Doctor—Chiefly the mother's grief and trouble for the past few months!

Maxwell—Then the boy has been murdered! murdered by the vile hands of the conspirators, and principally by the wily chief, Judge DeWily! (getting excited.)

Doctor—Calm yourself! go you and look to the living; who knows but the mother may follow in the boy's wake, for she is sick unto death, and not by any means out of danger.

Maxwell—I will hasten to the chamber of death, and may God give me strength; (he is overcome with grief—(both exit)—(curtain drops.)

Scene 3. (Maxwell enters and carries the child and lays it down on a sofa; he takes a look and his brain is turned inch by inch)

Enter Maxwell—Death! death! and beyond the power of mortal man! poor child of misfortune; but thou art an angel and hast not seen even the light of day; an angel did I say? yes, an angel; and so handsome! if such handsome angels be in Heaven, would to God, that I were there this moment; (pause;) but I am getting nervous! a cold shudder passes through my frame; my very nerves, and methinks, that even the blood in my veins takes a sudden chill! what means this strange feeling? my brain seems to reel; to fly as it were; it is the presence of death, perhaps? is it the awful change before me? the beauty, the innocence, not a move, not a quiver! the scene is mystic; it is sublime! no! no! it is the devils that stole my child from me! the murderers! (pause!) but by the eternal, they shall suffer! and even now in the presence of this murdered being, I swear by all that is holy, that I

shall never rest till thou art avenged! (takiug child's hand!) to-morrow, no! to-night! no! no! not to-night! to-morrow night one of the murderers shall pay the penalty of this fearful tragedy! revenge! revenge! is sweet! and thou angel child shall be avenged; (raises hand;) so help me heaven! [tableau]---[the father's oath;] (curtain drops.)

Scene 4. (Maxwell returns to the wife's bedside;) sits down bowed with grief; child in casket ready for burial; the wife on the lounge; (words of encouragement to her husband;) his hair has grown white in a single hour, as it were.

Fanny Macholm—(Looks white; hardly able to speak;) "husband! take this matter not so hard, I pray you, for remember, it is better to suffer wrong, even death! than to do wrong!" (placing her hand complacently upon his head!) (and looking him in the face)—"look you, Maxwell! how shiftless you are getting; you have not combed your hair for weeks, and a razor has not touched your face for months; it pains me much to see you neglect yourself thus, (to herself,) and how changed! his hair is almost white!"

Maxwell—(Brooding over his trouble)—wife! talk not to me with idle pride and foolishness; this is a stern reality; would to God, that I were dead! (pause!) shame and supplication followed by a clean drain of our worldly possessions; and at the point of starvation! once I was proud and haughty! Maxwell can be happy no more! and all by the cruel hands of the conspirators! Myron imprisoned, and the greatest gift Heaven can bestow, laid away in the silent tomb! a blank in the unwritten history of man's existence; (pause;) in an evil hour, and for the avowed gain of the filthy lucre, they have made a family miserable, and murdered this infant child; (pause) but by the eternal! I still live to avenge! (rises to go.)

Fanny—Husband! husband! (grasps his hand, and pointing to the child!) we are in the presence of death; I pray you control your feelings; remember, that the Lord has given, and the Lord has taken; he is still the Alwise Judge! and what his mysterious doings may be, we can not fathom; He doeth all things well! and has He not returned Myron to us?

Maxwell—Myron returned? (presses his hand to his head!) (pause)—yes! yes! I had most forgotten!

Fanny—(To herself)—For God's sake! he knows no more! his reason is gone?

Maxwell—Gone! Wife, how can you talk thus and trifle with this misfortune?

Fanny—Trifle? God forbid! he is insane! (pause!)

Maxwell—Tremble, tyrant! tremble!! Maxwell will have

revenge! or die in the attempt!—(to himself)—(pause)—but my plan; my plot! ha! ha! he will be there—he will be trapped, murdered and avenged—(a wild laugh.)

FANNY—(Arrests him)—listen to me, Maxwell; remember, that the Lord is still good to us; He has spared my life, and I am sure, it will not be long before I shall be out again; He is still merciful, and we know not what His mysterious and wonderful doings may bring about? He has given the child and He has taken him and made him an angel!—so, then, He has taken one and returned another!

MAXWELL—(Releases her grasp)—let me go, wife! my mission must be fulfilled! and this very night! farewell! I shall soon return!

FANNY—(Tries to hold him)—(he escapes)—he is mad! God save us—(curtain drops.)

ACT V.

SCENE 1. (The chamber of death)—the dead boy taken to his last resting place—the undertaker—the burial—(Fanny sitting in a sick chair.)

FANNY—Where, oh, where! is my husband?—(pause)—(to the undertaker)—must you take the child away now? can you not leave him awhile longer? my husband is gone, and I know not where! I know he would like to see the boy once more!

UNDERTAKER—Madame, my time is short, and it would be useless to let the corpse remain longer.

FANNY—(To herself)—one more being without a human heart! then in God's name—let me take the last look; (looks and weeps;) good by darling! good by! we shall meet again in a better sphere.

UNDERTAKER—(Goes with the coffin—(exit.)

MAXWELL ENTERS—Wife! are you asleep? where are the children? where is the dead boy?

FANNY—The chidren are a sleep and I shall soon be with them; I am weary; the dead baby has been taken away to his final resting place—gone! gone! to meet the angels!—I have been looking for you, and ——

MAXWELL—(To himself)—I will see him, the bargain shall be made—our plans shall be laid—I shall soon have my revenge—to-night is our time!— tremble, tyrant!—(aloud)—at midnight—ha! ha! at midnight this fearful deed shall be consummated—our plan shall work—he will be there (aloud) trapped, murdered and avenged!—(exit.)

FANNY—(half asleep)—(springs up)—merciful God! he is mad! what did I hear? revenge! murder! is he mad? Heaven forbid, that he should take this fearful step—should he contemplate sum-

mary vengeance upon his enemies? stain his hands with blood, and add crime to misfortune—he is mad, I know; he knows not what he is doing; and I fear the worst—if I could only see him—even at the peril of leaving the house—I may deter him from his fearful plan—it is stormy without and I am not strong enough to go far—(gets up and totters to the door unable to walk—clock strikes ten—peals of thunder—vivid flashes of lightning;) I can not face the fury of this storm, it would be my death—but yet, where; or where is my husband? Maxwell, Maxwell, where are you? I beseech you to desist from your fearful plan—(falls on her knees and prays)—"merciful God; I pray you to save my husband from his contemplated design, and give strength to his demented brain and keep him in the path of virtue!"—(curtain drops.)

Scene 2. A little room in an old deserted house—Maxwell a stranger in conversation; no light; but Maxwell holds a dim lighted lantern in his hand; hands stranger a document.

Maxwell—Hanson, you have kept your word and I shall reward you well; I know that I can depend on you—give this to my hatred foe, the tyrant! the murderer! (pause!) the plot will work, here is the money and tell him that the papers must be made out and delivered to me before twelve o'clock to-night; tell him that I await him at his office at "eleven;" it will do; tell him my business is very urgent, and hence, my untimely request; ten dollars will be a fair recompense for his trouble; he will be there, I know; he will not suspect for a moment! and then your reward shall be ready; (pause;) ha! ha! well planned; I will see him—conceited, tyrant! and my trusty steel shall find his black heart—curtain drops.)

Scene 3. Maxwell returns to the house, finds the family asleep; enter Maxwell and peeps in.

Maxwell—All is well! my plan works—(looks in side door)—she sleeps—they slumber sweetly; they know not the fearful moment has come; but it is at hand—now good by wife! good by children! it is a fearful night without, but it will answer my purpose well—(exit back door and returns, holding up cloak and puts it on, goes back and gets a shovel and lantern—locks bed-room door)—they must not know; they shall slumber in peace, and in ignorance, while I consummate the last chapter; for such I consider it to be—this rusty shovel shall unearth the cherished treasure, and the dead boy shall meet his assassin!—(bell strikes eleven)—(starts)—it is eleven! within sixty minutes of the spirit hour! and within that one short hour this fearful work shall be accomplished!—[solemn and slow]—yonder! four miles through that desolate strip of woodland and swamp leads my passage, and then I shall be at the shrine of my midnight's labor!—[pause]—but it shall be easy work, the labor of mercy! it will take but a very few minutes! it shall be the work of mercy and of revenge, and

my oath shall be fulfilled—within one hour great things shall happen, the buried treasure shall be unearthed and the tyrant shall be face to face with his murdered victim—ha! ha! he shall tremble, and this (draws dagger) trusty steel shall do its deadly work—(thunder and lightning)—I feel chilly! [drawing his cloak close around him]—but, it is the result of the storm without; not more furious than the storm within my bosom! I am already soaking wet; but it matters not—(pause)—forth! forth! my child shall be avenged!—[exit, quick]—(curtain drops.)

Scene 4. At the graveyard—the resurrectionist hard at work—[carries shovel and lantern.]

Maxwell—[Digging for life]—[thunder and lightning]—[leaning on shovel]—I am here, safe and sound! even the mighty elements do not discourage nor scare me! I thank God, my nerves are steeled for this fearful hour of retribution; [wiping brow;] great drops of sweat pour down and drop off my brow, but not so large as the drops of my bleeding heart within! and my poor wife at home, how often her heart must bleed, and yet she is patient, and even asks me to forgive and forget! (pause) how can I? does she not yet know Maxwell Macholm? patient and humble! but he has a heart! no, Maxwell! no outrage so cruel and hard hearted shall go unpunished, though, I, myself, became the martyr of a fearful doom! [drops voice!] she knows not this moment where I am, and what my fearful plans may be? (pause?) but my time is short, it is no time for idle thoughts! [looks at his watch!] it is nearly thirty minutes within the appointed time, and my job is nearly done—[shovels]—ay! ay! I see now the casket which encloses the earthly treasure, and I shall soon hold you within my embrace! and thy hour of triumph shall be at hand! (stoops—kneels down, and raises coffin)—(raises voice)—farewell! silent tomb! thy treasure shall be returned to thy bosom crowned with the laurels of an avenged being—[shoulders casket]—[walks off]—(curtain drops.)

Scene 5. The half-way rest in the forest; the meeting at the old chesnut tree; a trusty friend and a friend indeed—Maxwell [walking with coffin;] [stops for a rest;] (sits down on an old stump in the forest.)

Maxwell—One half of my journey with this precious treasure is accomplished—it is getting heavy; (pause;) though my time be short, I must take a rest; (pause;) did I say, this load was heavy? nay! nay! gracious God! it is the load that rests upon my bleeding heart—that is heavy! I imagine that I could travel hundreds of miles with this load; if the treasure within, could open its eyes and the boy could be restored to me, (pause,) but it is impossible, the dead never return! no! never!! never!!! [sobs aloud!]

(pause!) [the shriek of the kokoo is heard at a distance three times,] (Maxwell starts,) "hark! it is the kokoo! thank God, it is a good omen!" thrice the kokoo shrieks, and the old soothsayers claim it means the fulfillment of our nearest and dearest wishes; if so, I may be assured that my mission shall succeed! (pause!) but methinks, do I see aright? [points near him,] yonder stands the old chesnut tree! it is here my friendly ally promised to meet me! and it is but a short space! yes! but a few steps yet, to the last scene of this fearful drama! I know my faithful Hanson will not desert me, he is a friend indeed, and friends are few and far between; do I not prize a friend as the dearest gift on earth that God can bestow; it is not in my nature to be otherwise? how could it be otherwise? have I not an hundred enemies to one friend? have they not brought me and my family to all miseries worse than death? (overcome—pause,) but no! I am wrong! God forgive me for what I say! no! no! noble men are still in the land, though they be counted in the scale of minority! yes! they should be balanced upon the scale of equality with the precious diamond—have not many noble men come to my rescue? where is Mr. Howe, my benefactor—where is our merciful Governor? and many others, did they not shine forth in the eleventh hour of my misfortune, like the beautiful evening star at midnight? yes! I say, God save the few noble men that are still left in this broad land; (pause;) but my time is getting short—Hanson must be near at hand—"hark!" he is coming; I knew my friend would not desert me in this trying hour, and I hope his mission has been fruitful.

Hanson Appears—He is here! Hanson! thy trusty friend, and his mission has been a success—[whispers]—he will be there by this time—hasten thither, and thy sworn enemy will meet you! (they shake a hearty hand.)

Maxwell—Many thanks, my good friend! how can I ever repay you? (takes casket on his shoulder!) I go trusted servant, to complete the last chapter! and may God give me strength! (raises hand!)

Hanson—He will! he will protect thee and thy just cause—[Maxwell goes]—(long pause)—[Hanson looking after him]—poor man, his lot is a hard one; and this last step is one from which the most stoutest man would shrink—but his cause is just, and he is a noble man, indeed—I will follow and assist him—all that mortal man can do! ever! in a moment of my direst need he has assisted me; not myself only—but hundreds of others, without regard to grade or condition—and have not the conspirators persecuted him like a dog? I have watched all, and no more ill used man than he, is to be found in this broad land! I will not desert him in this awful moment—I will follow and protect him, even at the peril of my own own life!—(goes.)

ACT VI.

Scene 1. Arrival of Maxwell with the casket at the court house—(enter disguised with heavy false whiskers)—[sits casket down behind the door]—(locks and bolts door.)

Maxwell—I am here in good time! with the evidence of his guilt in my hands! I shall not be detained long! for at the spirit hour the child commands me to avenge its murder! a ha! [listens to noise in corridor!] I hear! he comes! (side door opens and judge enters.)

Judge DeWiley Enters—(Sits down and sees not his visitor—takes papers out of his pocket and reads to himself.)

Maxwell—(Locks and bolts door and puts key in his pocket)—[hisses]—it is he! and he never shall leave this threshold!!—(pause)—methinks that I could not bear to face his cursed countenance! and my very vitals seem to burn to behold his polluted form; what hinders me from sending his wicked soul into eternity; [draws dagger;) yes! into hell! without a moment's warning!—(long pause)—but, no! Maxwell shall not bear the stain of a cowardly assassin! face to face he shall receive his death blow! and he shall have ample time to ask forgiveness of his Maker! yes! even in this, my hour of sweet triumph, Maxwell shall ever remain generous and true—[returns dagger to bosom]—(and listens to the judge.)

Judge DeWiley—I hope this stranger will not detain me long! it is a queer request! I may be foolish to obey and at the dead of night!—[he shudders audibly]—(gets nervous)—it may be the request of a lunatic? but he tells me his case is urgent and he sends me ten dollars, which by the way, pays me right well—he will not stay long I hope!

Maxwell—(Forward;) (in cloak and slouched hat and big false beard)—nay! nay!! my lord! I shall not stay long, my appointments are always held dear; right glad am I that thou hast fulfilled them and granted my request! (looks him in the eye)

Judge—(To himself and nervous)—methinks I know this voice!

Maxwell—(Sits down)—it is almost midnight and we will come to business at once!

Judge—(To himself)—he dictates!

Maxwell—[Takes papers out out of his pocket]—"I want you to probate to me this deed which I hold here!—[shows an envelope on one side]—but first, come close and listen while I make a formal explanation"—[they sit close and judge listens]—(Maxwell proceeds),—"it is but a few years since that some property came into our possession, to my wife and myself—we were the joint owners and our title was indisputable,—we thought much of that property, and we thought it more valuable than life itself!

but in an evil hour some vile scoundrels have dared to conspire to rob me of a trifling sum of money, and when I did refuse, because, knowing the injustice of their demand; (pause;) all ! all ! ! was lost ! ! ! "

JUDGE—[getting restless] —(to himself)—(what does this mean ?) and how ——

MAXWELL—Much does it mean!—pardon me for my interruption ! I did refuse, did I say ? yes ! yes ! ! correct ! ! ! when I had refused, their wrath was fearful, and they swore they would have satisfaction—(pause.)

JUDGE—And what did they do ?

MAXWELL—They caused to be taken, and seized the property above mentioned, before our very eyes, and without a moment's warning—a property which we both held so dear !—(pause.)

JUDGE—[proceed ! proceed !)

MAXWELL—Patience ! patience ! ! soon enough shall I reveal and recall to you the foul plot, but that was not all; it was but a short time thereafter, when the Lord in his goodness saw fit to grant to us, to my wife and myself another share of this world's happiness, (pause,) but my wife, frail creature, that she was, and by the fell blow of the robbers' hand, she fell sick and lay, as it were, in the scale of uncertainty—between life and death—and the property bequeathed to us was naught ! a dead blank !

JUDGE—[Getting uneasy]—but what has this to do with me? I do not comprehend ?

MAXWELL—Your interest is at stake ! as you shall comprehend shortly ! listen ! I have sworn to punish the evil doers, and to redeem my oath, and so regain at least, part of the lost chattels by fair means, or by foul !

JUDGE—But this deed !

MAXWELL—This deed—I hold within my hand ? [turns it over and reveals a large black seal.]

JUDGE — [Starts violently] — what ! — a deed with a black seal ?

MAXWELL—Yes ! a deed with a black seal ! and this deed shall be recorded this very night—it is a vow of mine; a vow which I contemplate to put into execution forthwith ! [raises voice !] 'tis a death warrant ! !

JUDGE—(Surprised)—a death warrant ?

MAXWELL—A death warrant ! and vile monster, thou art the victim !—[lays hand on judge and gnashes teeth]—(long pause.)

JUDGE—[Starts up and tries to escape]—trapped by heaven !—at the mercy of a maniac !

MAXWELL—It is useless—thou canst not escape, thou art in my power, and not a friendly hand for thy salvation within these mas-

sive walls! and they! they alone, shall witness "the tyrant's doom!"

JUDGE—And what have "I" done stranger, that thy wrath is so worked against me? I know you not—pray and explain!—[a ruse to regain time.]

MAXWELL—(His mania partly returns)—thou knowest me not? ha! ha! listen! thou shall know me presently, and to thy sorrow! dost thou remember, that scarce three months ago, by thy own vile imagination, and by the conspiracy, and for the love of the paltry sum of twenty dollars, thou caused my boy to be stolen away and how myself begged of thee! and my supplication, thee scorned: and how my poor wife went down upon her very knees before thee and implored thee to be merciful, and how thee didst refuse? and how she did, when thee had stolen the boy, went before thee upon her trembling knees and did implore thee, and in her moments of anguish did ask thee to restore the boy to her! and thy fiendish laughter still rings in my ears, when I stood upon the threshold, but thou sawest me not, and thou didst know vile serpent, that then and there, she was at the very last stage of her deliverance!—(getting wild and angry)—judge makes another attempt to escape)—keep quiet viper—escape is impossible!

JUDGE—I beg of you to let me go! my wife awaits me, she will be getting restless and wearisome for my absence!

MAXWELL—Coward! dost thou think thy wife has a bigger heart than mine? dost thou not remember that mercy was useless and thou wouldst not listen? think thee now, that I would show thee mercy? no! no! no mercy for thee! but listen, I have not done!

JUDGE—[To himself]—thank God! I may yet escape!

MAXWELL—Listen, close! I did say, that my wife was at her last stage of deliverance, and when the child, a beautiful boy was born! (overcome—pause!) he was dead! dead!

JUDGE—And who are you? [tyring to gain more time.]

MAXWELL—(Tearing off false beard and slouched hat, and throws them away)—I am Maxwell Macholm! thy executioner, and I charge thee with the murder of my child! restore to me, my boy! my darling boy!—(weeps.)

JUDGE—[Holds up hands]—Maxwell Macholm! God help me! in the hands of an injured father! I am lost! lost!!

MAXWELL—Well mayest thou say lost! lost!! ha! ha! soul and body! but to work; it is midnight.

JUDGE—[Trying to prolong the inevitable doom]—but sir! where is the proof of your charge?

MAXWELL—Proof! I have it, vile wretch—you see I am well

prepared for this night's work—look you, (goes back and returns with casket,) look ye, villain! [opens casket and reveals a dead babe.]

JUDGE—For God's sake, don't open that; I have no desire to see it.

MAXWELL—Aha! I thought, villain, this would hurt you? with thy vile hands and a black heart, thou hast wrought this mischief! thy hands are stained with blood; all this bloody deed was the work of an evil moment, and thou hast listened to the tempter; it has brought famine, desolation and death to me and my ruined family—God help them!—(he is overcome)—(pause)—and dost thou wonder that I have constituted myself thy executioner?

JUDGE—But would you not let me depart, if I hand you this? [trembling and showing Maxwell a bag of gold?] I will give you more if this is not enough—take this and let me depart in peace, and I will bless you—my wife and children will bless you!

MAXWELL—[Knocks gold out of his hand]—vile serpent—dost thou think that thy plea would enter my heart? the plea I myself made to thee and my wife also, and no heed was given, and dost thou think that I would touch one piece of thy filthy lucre gained by dishonesty; gained by the act of inhumanity; gained for the desire of fame! and at the cost and the ruination of a family and the price of blood! blood!! blood!!! thy filthy lucre is stained with human gore! (gets raving again!) not a million of gold pieces would replace my loss; nor could all the wealth in this broad universe heal my wounded and bleeding heart—it is thy heart's blood I want! and nothing less shall appease my revenge, and that alone shall atone for thy cruelty and hardheartedness!—ha! ha! I wish to become a physician, an analytical physician—I wish to dissect thy body inch by inch—I shall probe to thy wicked heart! I want to see whether it is blue or red blood it contains, or whether it contains blood at all! ha! ha! ha! ha! I, Maxwell Macholm, the humble tailor! a resurrectionist, a physician! an analizer! a dissector! an avenger!—(brings fist down)—[long maniac laugh.]

JUDGE—Don't! don't! it cuts to my heart, every time!).

MAXWELL—What a change circumstances might accomplish—(pause)—and my wife, pray—(judge starts at the mention]—aha! I see, it is my wife I speak of now! it is no wonder, that thou should start; her curse has come true and her champion stands before thee! but she—(drops vice)—when she did lay at the point of death and but a slight shadow intervened between her life and eternity, and almost another victim was added to thy vile machination, and even then she regretted the curse she vowed to thee! and womanlike, her heart softened—and God bless them all for that heavenly gift—she was ready to forgive thee! her sworn enemy!—(raises voice)—but I! I am a man! I can not for-

give—no! no!!—"an eye for an eye and a tooth for a tooth!"—know you now Maxwell Macholm? my boy! my boy! must be restored to me! or by the heavens, thou shall die!—[clock strikes twelve]—aha! hark ye—it is the midnight hour, by the hallowed chime upon the tower of the holy Trinity Church yonder! and thy last moments upon earth are counted—(pause)—but thou hast not yet made thy peace with God? look you! it will require some moments to ask salvation for thy soul! am I not magnanimous?—(pause)—nay! nay! it is but a prolongation of thy death throes! ha! ha! the evil tempter is aroused in me! he urges me on—(apparition of the evil one appears)—he is delighted! ha! ha! methinks he stands by me and applauds my triumphal hour! I see him dancing and cutting fantastic shapes; he grins, he is happy!—(brings his fist down on the table—long laughs the maniac, and brings the judge to his senses, which he almost lost by fear)—(long pause)—[apparition disappears]—(Maxwell takes out dagger and rubs it over the edge of the table as though getting it to a sharp point.)

JUDGE—(Realizes that his last moments have come)—"for God's sake! I am a doomed man! I am at the mercy of a maniac, whom I deeply wronged—God may have mercy on my soul!" (falls back on chair and shuts his eyes to the fearful scene)—(long pause.)

SCENE 2. Canst thou pray?—(pause again)—hast thou made thy peace with God?—(raises dagger)—now villian die! "Sic Semper Tiranis," thy victim is avenged! tyrant! die!! (holds him by his shoulder) and (brings down the dagger partly)—(red fire)—(apparition in the shape of an angel)—(raises out of the coffin and takes wings)—(holds in left hand an olive branch and wards off dagger!) the right hand is pressed against the brow of the victim—(an invisible voice speaks)—"father! father! let vengeance be mine! desist"—(apparition disappears suddenly.)

MAXWELL—(Starts in fear and surprise)—throws away dagger and rubs his eyes!)—what is all this? what have I been doing? (falls on his knees)—(reason returns)—"merciful God! is this a dream? have I come to this? to take summary vengeance upon my enemies? I was mad! I knew not what I was doing! but the voice! the apparition—(rises and looks in coffin)—my boy! my boy! it was he! he is gone! gone!—(falls over empty coffin and weeps.)

JUDGE—[Presses his hands to his head]—(his voice takes a change;) "where! oh, where am I! what is this that stands before me! it is a dream—a vile dream—I must have slept.

MAXWELL—What do I see! blood upon thy forehead—thy hands are stained with blood!

JUDGE—[Looks at his hands)—blood! blood! great God! this is too hard to bear! it is the seal of my guilt—I am indeed a

murderer!—(pause)—in an evil moment I have listened to the tempter and taken the roll of a tyrant—I have gained some of the filthy lucre and lost my soul—I have become the victim of an invisible being a thousand times worse than the fell blow of a father's revenge—heaven save me from this fearful ordeal—(falls on knees exhausted.)

Scene 3. Maxwell (stoops over him and speaks)—(clasps hands in prayer)—merciful heaven—a just God has delivered me from this fearful trial—the heavy load has been removed from my brain which was almost ready to burst with anguish—I was mad—crazed—crazed with grief—I became nearly a maniac—I feel again as though new life had been infused into my fevered brain and my shattered nerves—I feel like myself again! (pause!) but I must hasten to my sick wife and family, and tell them all—as how the angel from heaven has saved me from destruction, and how near I came to disgrace myself and family—thank God, they need not in shame say—my husband! my father! was a murderer—(pause)—but I have been gone long—it is almost daylight, and soon the sun will rise upon the eastern horizon—God knows my wife must be anxiously looking for me—forth! forth! from this scene, and I leave thee my would-be victim to thy own fate, and at the mercy of a just God!—(exit quick.)

Judge—Speaks (incoherrently)—(appears to have slept to awake a raving maniac)—(holds his head with both hands)—(speaks)—it was thunder and lightning—a! ha! and the child! was it my child? no! no! I have no child! I have neither wife nor child! no! no! I never had either!—but it was fire! fire! that done the deadly work!—[raises partly]—and it is fire that kills me, inch by inch! [holds hands to head and breast!] the fire eats up my very vitals—fire! fire! water! water! [drops on floor again!] (two fellows enter;) they are janitors working about the building—(they pick him up and set him in a chair.)

James—Be the Almighty powers, it is Judge DeWiley; what ails him? is he sick or dying?

Denis—I fear he has been drinking and lost his way hither and could not release himself.

James—Drink! is it! never! Judge DeWiley never drinks; he must be sick, or overworked; poor man, he has much upon his mind!

Denis—And look at the blood; holy Moses; sure, he is killed intirely, so he is! let us take him to his home! (they bear him on each side.)

Judge—Lead on! devils! fiends in disguise! it is murder and fire! you wish to burn me?—(draws back)—already do I see the fiery furnace before me, and you insist upon leading me straight into its cursed jaws, the portal of certain death!

Denis—He is raving! a raving maniac—so he is—so help me Moses!—(exit all)—(curtain drops) (a lapse of two weeks follows.)

Scene 4. Judge DeWiley hopelessly insane, and in the last stage of consumption; he is fettered with ball and chain—a group stands before his cell—the trio of conspirators—Pritten—Hatwell, and Hugit are the distinguished visitors—(Hatwell on crutches; two legs off from the knee down—crippled for life.)

Pritten—And judge! you know us no more? know you not your old friends?

Judge—Know? you say? were you one of the fiends that frightened me so; the one that made the fire in that fearful cauldron? that I should be burnt up by the flames?—(pause)—a fearful fire rages within me now and lightning flashes across my dim vision, and then again I see an apparition—a figure; yes, two figures; a thousand figures! they come forth and frighten me!—(pause)—then again, I feel the fierce blast of an arctic wave from northern oceans! it creeps! it creeps up to me, like the iceberg creeps up to a distressed ship in the dreary mid winter night, it comes nearer and nearer, and it curdles the very blood in my veins! it crushes the frail craft to a thousand splinters, though it were an eggshell in the hands of a giant monster; then again, I see the fire and a thousand figures; angels and devils combined, all joined in a fantastic manner, each striving to beat the other in tantalizing my poor frame!—(cries and sobs.)

Pritten—To his companions—come! let us go, I can not stand this any longer; we have sinned hard in trying to crush old Maxwell; we have deluded this poor victim and drawn him into a net from which he can never escape; he was drawn into it by our own hands like the fisherman upon the shore draws the inhabitants of the deep into his own! we are his destroyer, and Maxwell Macholm, the noble man, that he is, he is avenged, his triumph is complete, and I fear his triumph will end with our destruction!—my heart bleeds as though I were this poor man's executioner—God forgive! we are all guilty partners of his great sufferings and misfortune; his blood is upon our own hands!—(all are overcome and well they may be)—(they all shake the victim's fettered hands and leave)—(exit.)

The Maniac's Wife Enters—(Dressed in black and veiled)—husband! dost thou not know me?

Judge—(His last moments getting more rational, but his vision is gone!)—know you? how could I? seest thou not that my vision has deserted me? but methinks it is a woman's voice—I know the voice, but can not call it to mind—is it not the voice of one whom I once deeply wronged? a dim recollection passes through

my feeble mind—(pause)--hast thou come to forgive me !- (pause)—but it is the cold and chilly blast that comes over me and I forget all ! all ! !

WIFE—(To herself)—I fear his last hour is at hand ! (reaches and takes his hand)--could I but once more bring the children that he might be able to look at them and recognize them; their best friend upon earth shall soon be taken away forever ! poor man ! he has been led estray by the vile tempter—O ! God ! but my lot is a hard one—(sinks down exhausted and faints.)

ENTER DOCTOR—[Feels his pulse)—his eyes are dim and his pulse beats no more ! he is dead--gone to his Maker !

WIFE—(starts)—gone !, gone ! !—(curtain drops.)

SCENE 5. Macholm's new home—(few days elapse.)

MAXWELL MACHOLM—(Sitting in a big rocking chair and his wife close beside him—wife reads book--Maxwell a newspaper.)

MAXWELL—(To his wife)—poor deluded man; he is no more ! died in the asylum, and he has paid the price of his own indiscretion ! —poor man, the tempter has been strong, and an injured mother's curse, and a father's vengeance have surely overtaken him !

WIFE—But the other three conspirators and the original evildoers ? ——

MAXWELL—Their reward will not be a pleasant one and the "Alwise" will not let them go unpunished, two of them have already received their share; one of them, Hatwell, fell in his own tracks; the wheel of a loaded wagon ran over his body and two limbs were taken off to the very knees—a cripple for life—but what do I see—(looking at paper)--(reads)—Fearful encounter with a burglar—a detective mortally shot !—Patton Hugit the victim !—he is not expected to live !—a ha !—see you now, that they will all receive their doom :—" he that builds a human trap shall fall into it himself"—that is scripture of the old doctrine !

WIFE—But Jacob Pritten, the principal of the " quarto ! "——

MAXWELL---I will prophesy !---the strong hand of intemperance shall wield the scepter---he had concocted his foul plan to destroy us by the cursed cup, and it is by the " cursed" cup, he shall reap his own destruction---already paralyzed by the example of his brothers in crime, he will follow his wild career of intemperance, and deeper and deeper it will draw him, until the fangs of the reptile are buried deep into his vitals, and his doom is slow, but sure; although most respectably connected, he is a brute of the worst type, and he will be laid low into a drunkard's grave ! O ! intemperance ! thou art the cradle of vice ! thou art rocked slowly and steadily by thy own sire, and the witches of hell !

WIFE—But husband, (her heart softens,) do you not think their fate is too hard, and we have pushed them too far? and especially the judge?

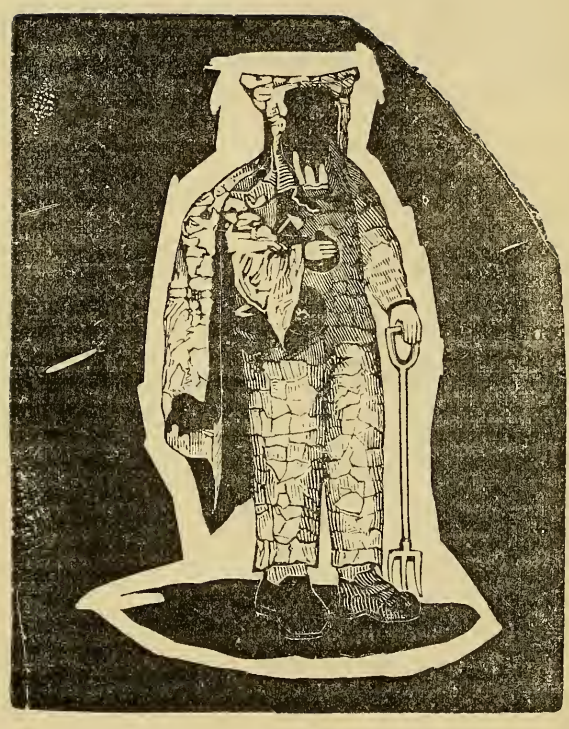
MAXWELL—No! wife! my lot is not lighter than theirs! although comparatively prosperous again, I never can forget my child, my own image! and my days are made miserable! here rests a tender wound which can never heal!—(pointing to heart)—but the "Lord doeth all things well," and his wisdom is infinite, and I do hope that our kind and attentive audience will appreciate "THE TYRANT'S DOOM," as a fair example and a warning to all evil doers!!—let us thank God for his mercy and justice to us!—(both fall on their knees)—(hold up their hands)—(curtain drops.)

———(:o:)———

GRAND TABLEAU.

MAXWELL MACHOLM AND FANNY MACHOLM: kneeling on the right, a coffin on the left—(labelled)—"J. F. DeWiley," behind them and in the center, the Godess of Justice, sword in one hand and scale in the other—(she is blind-folded)—the angel elevated behind all, stretches out both hands as if asking a blessing—(red fire)—angel ascends to heaven.

END.



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